



FY2013 Public Schools Budget: Senate Bill 1410

Tim Hill
Deputy Superintendent

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LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature Second Regular Session - 2012
IN THE SENATE
SENATE BILL NO. 1410
BY FINANCE COMMITTEE



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SECTION 1. In addition to the appropriation made in Section 1, Chapter 332, Laws of 2011, and any other appropriation provided for by law, there is hereby appropriated to the Educational Support Program **\$10,470,200** from the **Federal Education Jobs Fund** to be expended for the period July 1, 2011, through June 30, 2012.

SECTION 2. In addition to the appropriation made in Section 4, Chapter 332, Laws of 2011, and any other appropriation provided for by law, there is hereby appropriated to the Educational Support Program/Division of Teachers **\$10,470,200** from the **Federal Education Jobs Fund** to be expended for the period July 1, 2011, through June 30, 2012.



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SECTION 3. The following amount shall be expended from state sources for the Educational Support Program, for the period July 1, 2012, through June 30, 2013:

FROM:

General Fund	\$1,279,818,600
Bond Levy Equalization Fund	4,323,000
School District Building Account	17,350,000
Miscellaneous Revenue	109,200
Public Schools Other Income	9,000,000
School for the Deaf and the Blind Endowment	98,800
Cigarette, Tobacco and Lottery Income Taxes	4,700,000
Public School Endowment Earnings Reserve Fund	31,292,400
Federal Grant	<u>220,121,100</u>
TOTAL	\$1,566,813,100



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SECTION 4. There is hereby appropriated the following amount from the listed fund to be transferred to the Public School Income Fund for the period July 1, 2012, through June 30, 2013:

FROM:

General Fund	\$1,266,741,600
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SECTION 5. There is hereby appropriated to the Educational Support Program/Division of [Administrators](#), the following amount to be expended from the listed fund for the period July 1, 2012, through June 30, 2013:

FROM:

Public School Income Fund	\$78,996,600
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SECTION 6. There is hereby appropriated to the Educational Support Program/Division of [Teachers](#), the following amounts to be expended from the listed funds for the period July 1, 2012, through June 30, 2013:

FROM:

Public School Income Fund	\$723,471,100
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Federal Grant	<u>30,000,000</u>
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TOTAL	\$753,471,100
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SECTION 7. There is hereby appropriated to the Educational Support Program/Division of [Operations](#), the following amounts to be expended from the listed funds for the period July 1, 2012, through June 30, 2013:

FROM:

Public School Income Fund	\$474,079,600
School District Building Account	17,350,000
Federal Grant	<u>8,000,000</u>
TOTAL	\$499,429,600

SECTION 8. There is hereby appropriated to the Educational Support Program/Division of [Children's Programs](#), the following amounts to be expended from the listed funds for the period July 1, 2012, through June 30, 2013:

FROM:

Public School Income Fund	\$27,798,800
Federal Grant	<u>182,000,000</u>
TOTAL	\$209,798,800



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SECTION 9. There is hereby appropriated to the Educational Support Program/Division of [Facilities](#), the following amounts to be expended from the listed funds for the period July 1, 2012, through June 30, 2013:

FROM:

General Fund	\$13,077,000
Bond Levy Equalization Fund	<u>4,323,000</u>
TOTAL	\$17,400,000

SECTION 10. Of the moneys appropriated to the Educational Support Program, the amount necessary to fund the provisions of Section 33-906, Idaho Code, is hereby transferred and appropriated to the [Bond Levy Equalization Fund](#).

SECTION 11. The provisions of subsection (4) of Section 63-2520, Idaho Code, notwithstanding, the amount of revenue distributed to the General Fund shall be [\\$13,077,000](#) for the period July 1, 2012, through June 30, 2013.



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SECTION 12. There is hereby appropriated to the Educational Support Program/Division of [Educational Services for the Deaf and the Blind](#), the following amounts to be expended from the listed funds for the period July 1, 2012, through June 30, 2013:

FROM:

Public School Income Fund	\$7,387,900
Miscellaneous Revenue	109,200
School for the Deaf and the Blind Endowment	98,800
Federal Grant	<u>121,100</u>
TOTAL	\$7,717,000



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SECTION 13. That Section 33-1004E, Idaho Code, be, and the same is hereby amended to read as follows:

The district **instructional** staff index shall be multiplied by the instructional base salary of **\$23,123**. (no change from FY 2012)

No full-time **instructional** staff member shall be paid less than ~~\$29,655 for fiscal year 2011, or \$30,000 thereafter~~ **\$30,500**. (increased \$500, 1.67%)

State will distribute \$31,018, taking 1.67% SBA adjustment into consideration)

The district **administrative** staff index shall be multiplied by the base salary of **\$31,833**. (no change from FY 2012)

To determine the apportionment for **classified** staff, multiply ~~\$18,684~~ **\$19,058** by the district classified staff allowance determined as provided in section 33-1004(4), Idaho Code. (increased \$374, 2%)



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SECTION 14. Notwithstanding the provisions of Sections 33-905 and 33-1019, Idaho Code, for the period July 1, 2012, through June 30, 2013, **all moneys appropriated from the School District Building Account shall be distributed as discretionary funds** within the Educational Support Program/Division of Operations and **school districts and charter schools are hereby relieved of any restrictions on the use of such funds, apart from restrictions that apply to the use of discretionary funds.**

SECTION 15. Notwithstanding the provisions of Sections 33-1018B and 33-1019, Idaho Code, for the period July 1, 2012, through June 30, 2013, only, **the state is hereby temporarily relieved from the requirement to provide its portion of the school maintenance matching funds normally required by such sections, nor shall school districts be required to make up such portion that would otherwise be provided by the state.**



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SECTION 16. Pursuant to the provisions of Section 33-1018, Idaho Code, for the period July 1, 2012, through June 30, 2013, it is estimated that the appropriation of state funds to the Educational Support Program/Division of Operations will result in **total discretionary funds of \$19,706 per support unit.**

SECTION 17. Notwithstanding the provisions of Section 33-1006, Idaho Code, for the period July 1, 2012, through June 30, 2013, the total moneys paid to school districts and charter schools for **eligible transportation costs shall be reduced by a proportionate amount to equal \$7,500,000 and shall be used as discretionary spending.**



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SECTION 18. Notwithstanding the provisions of any law to the contrary, of the moneys appropriated in Section 7 of this act, up to **\$4,381,400** from funds determined by available tobacco, cigarette and lottery income tax revenues accruing, appropriated, or distributed to the Public School Income Fund pursuant to Sections 63-2506, 63-2552A, 63-3035A and 63-3067, Idaho Code, **for the period July 1, 2012, through June 30, 2013, shall be distributed as discretionary funds** within the Educational Support Program/Division of Operations, and school districts and charter schools are hereby relieved of any restrictions on the use of such funds, apart from restrictions that apply to the use of discretionary funds.



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SECTION 19. Of the moneys appropriated in Section 8 of this act, **\$318,600** from funds determined by available revenues accruing, appropriated, or distributed to the Public School Income Fund pursuant to Sections 63-2506, 63-2552A, 63-3035A and 63-3067, Idaho Code, and other such moneys that may become available pursuant to Idaho laws, for the period July 1, 2012, through June 30, 2013, **shall be distributed as follows**: the provisions of Section 63-2552A(3), Idaho Code, notwithstanding, **\$200,000 shall be remitted to the Idaho State Police to increase toxicology lab capacity in the Bureau of Forensic Services for drug testing of juveniles. The Superintendent of Public Instruction may use up to \$40,000 for Safe and Drug-Free Schools Program administration, technical assistance, and evaluation; and up to \$78,600 in grants may be authorized to the Commission on Hispanic Affairs.**



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SECTION 20. Of the moneys appropriated in Section 8 of this act, **\$9,400,000** shall be used for **literacy programs**, as outlined in Sections 33-1207A(2), 33-1614 and 33-1615, Idaho Code; **remedial coursework** for students failing to achieve proficiency in the Idaho Standards Achievement Test; computerized remediation services to schools; and **math initiative** efforts, in dollar amounts determined by the Superintendent of Public Instruction. It is legislative intent that the State Board of Education and State Department of Education coordinate federally funded literacy programs with state literacy programs, resulting in well-coordinated, complementary literacy efforts. **The Superintendent of Public Instruction shall report to the Joint Finance-Appropriations Committee and the House and Senate Education Committees, by no later than February 1, 2014, on the uses of funds and effectiveness of the programs and efforts.**



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SECTION 21. Pursuant to Section 33-1617, Idaho Code, of the moneys appropriated in Section 8 of this act, \$4,000,000 shall be distributed for support of programs for students with non-English or limited English proficiency, as follows:

(1) The State Department of Education shall distribute \$3,500,000 to school districts pro rata, based upon the population of limited English proficient students under criteria established by the department.

(2) The State Department of Education shall use \$500,000 for the competitive grant program for school districts in which the population of English language learners failed to meet Adequate Yearly Progress (AYP) in math or reading, as defined in federal law. Of this amount, \$450,000 shall be distributed annually to school districts in three (3) year grant cycles, in which the recipients will receive full grant awards each of the three (3) years, contingent on appropriation. The remaining \$50,000 will be used for evaluation and administration of the program.

(3) The department shall develop the program elements governing the use of these funds, modeled on the training, intervention and remediation elements of the literacy programs referenced in Section 20 of this act. The purpose of these funds is to improve the English language skills of English language learners, to enable such students to better access the educational opportunities offered in public schools. The Superintendent of Public Instruction shall report to the Joint Finance-Appropriations Committee and the House and Senate Education Committees by no later than February 1, 2014, on the program design, uses of funds and effectiveness of the program.



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SECTION 22. Notwithstanding Section 33-1020, Idaho Code, the [Idaho Digital Learning Academy \(IDLA\)](#), created pursuant to Chapter 55, Title 33, Idaho Code, shall utilize state appropriated funds [not to exceed \\$5,031,000 for the period July 1, 2012, through June 30, 2013](#), to achieve the following:

(1) [Tuition](#) charged by IDLA to Idaho students [shall not exceed \\$100.00 per enrollment](#).

(2) [Provide remedial coursework](#) for students failing to achieve proficiency in one (1) or more areas of the Idaho Standards Achievement Test.

(3) Pursuant to the fiscal impact statement for the State Board of Education rule, IDAPA 08.02.03, Docket Number 08-0203-0605, [provide advanced learning opportunities for students](#).

(4) Pursuant to State Board of Education rule, IDAPA 08.02.03, Docket Number 08-0203-0605, [work with institutions of higher education to provide dual credit coursework](#).

The preceding list shall not be construed as excluding other instruction and training that may be provided by the Idaho Digital Learning Academy.



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SECTION 23. No moneys are appropriated for programs for expectant or delivered mothers for the period July 1, 2012, through June 30, 2013, the provisions of Sections 33-1002, 33-2006 and 33-2007, Idaho Code, notwithstanding.

SECTION 24. Of the moneys appropriated in Section 7 of this act, \$2,500,000 shall be distributed for public school information technology staff costs. Such moneys shall be distributed pursuant to a formula, with a minimum distribution per school district and public charter school, determined by the Superintendent of Public Instruction.

SECTION 25. It is legislative intent that the State Department of Education shall compile information concerning the numbers of students enrolling in dual credit according to the provisions of Section 33-1626, Idaho Code, whether coursework is successfully completed, and total expenditures for fiscal year 2013. As nearly as possible, the report shall contain information about enrollment of this student population in post-high school education. A report containing such information shall be posted on the website of the State Department of Education no later than December 31, 2013.



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SECTION 26. The State Department of Education is hereby granted the authority to **transfer appropriations** between the Administrators, Teachers, Operations, Children's Programs, and Facilities Divisions of the Educational Support Program budget, in any amount necessary, to comply with the public school funding provisions of appropriations and the Idaho Code.

SECTION 27. NON-GENERAL FUND REAPPROPRIATION AUTHORITY. There is hereby **reappropriated** to the Educational Support Program/Division of Teachers **any unexpended and unencumbered balances of moneys categorized as Federal Education Jobs Funds**, in Fund 0348-98, as appropriated for fiscal year 2012, to be used for nonrecurring expenditures, **for the period July 1, 2012, through June 30, 2013.**

SECTION 28. An emergency existing therefor, which emergency is hereby declared to exist, **Sections 1 and 2 of this act shall be in full force and effect on and after passage and approval.**



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